



INTERIOR BOARD OF INDIAN APPEALS

Friedman Ventures-California Division and Roger D. Friedman v.
Acting Sacramento Area Director, Bureau of Indian Affairs

18 IBIA 97 (12/26/1989)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

FRIEDMAN VENTURES--CALIFORNIA	:	Order Dismissing Appeal
DIVISION and ROGER D. FRIEDMAN,	:	
Appellants	:	
	:	
v.	:	Docket No. IBIA 90-29-A
	:	
ACTING SACRAMENTO AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	December 26, 1989

This is an appeal from a September 27, 1989, decision of the Acting Sacramento Area Director, Bureau of Indian Affairs, cancelling Palm Springs Lease No. PSL-211, Contract No. J53C1420-3258. The appeal was received by the Board on November 27, 1989, upon transmittal by the Area Director, who stated that it had been received in the Area Office on October 30, 1989. 1/

On November 29, 1989, the Board received a motion to dismiss the appeal from Linda Gillette, beneficial owner of the trust land subject to PSL-211. Gillette moved to dismiss on the grounds that the notice of appeal was improperly filed and was deficient in a number of respects.

On December 26, 1989, the Board received a document entitled "Withdrawal of Notice of Appeal" from appellants. Appellants state that they "hereby withdraw and terminate their Notice of Appeal and appeal" from the September 27 decision. They further state that they "agree to waive any and all defects in the decision of the Acting Sacramento Area Director regarding whether correct appeal information was included in the decision of 27 September 1989, and agree that said decision shall be considered final for any and all purposes."

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is dismissed.

//original signed

Anita Vogt
Administrative Judge

//original signed

Franklin D. Arness
Administrative Judge
Alternate Member

1/ The September 27 decision incorrectly informed appellants that their notice of appeal should be filed in the Area Office.